

ADVISORY OPINION 1998-017

Any advisory opinion rendered by the Registry under subsections (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is rendered. KRS 121.135(4).

January 29, 1999

Hon. Mark D. Guilfoyle, Chairman
Patton for Governor Exploratory Committee
P.O. Box 369
181 Frankfort Street
Versailles, Kentucky 40383-0569

Dear Mr. Guilfoyle:

This is in response to your letter dated December 30, 1998, in which you request an advisory opinion regarding the following question relating to the Patton for Governor Exploratory Committee ("Committee"):

If the Committee purchases from the Democratic Party of Kentucky a database which includes a mailing list, may the Committee transfer the database to the campaign committee established for the slate of candidates, or must the campaign committee for the slate purchase the database from the Committee?

Your letter correctly states that KRS 121A.015A(5) provides:

No assets of an exploratory committee, including . . . any other thing of value which was contributed to or purchased, leased, or prepaid by the exploratory committee shall be transferred to a campaign account established for a slate of candidates by the persons on whose behalf the exploratory committee was established or to any other person.

This statute prohibits the Committee from transferring a computer database that is purchased from the Democratic Party of Kentucky to a subsequently established campaign committee. However, the campaign committee may purchase the computer database from the Exploratory Committee at its fair market value.

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If you have any additional questions regarding this matter, do not hesitate to contact the Registry staff.

Sincerely,

Rosemary F. Center

RFC/jh